IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 1399 (S/S) of 2005

Heera Ballabh Bhatt
S/o Late Sri Parmanand Bhatt,
R/o village and Post Jajar Dewal,
Tehsil and District Pithoragarh. ..……**Petitioner**

Versus

1. Managing Director, U.P. State Road Transport Corporation, Parivahan Bhawan, Lucknow.
2. Managing Director, Uttaranchal Transport Corporation, 117, Indira Nagar, Dehradun.
3. Regional Manager, Uttaranchal Transport Corporation, Tanakpur Region, Tankpur, District Champawat.
4. Accountant General, U.P., Allahabad.

….**…….Respondents**

Hon'ble M.M. Ghildiyal, J.

Heard Sri Manoj Tewari, learned counsel for the petitioner, Sri Kishore Kumar holding brief of Sri Ramji Srivastava learned counsel for the UPSRTC and Sri Ashish Joshi, learned counsel for the Uttarakhand Transport Corporation.

The petitioner, who has retired from UPSRTC as a Head Clerk from Pithoragarh on 30.09.2002, has preferred this writ petition for a direction to respondents to make payment of his retirement dues.

Counsel for both the Transport Corporations i.e. U.P.S.R.T.C. and Uttarakhand Transport Corporation, have submitted that there is an agreement between both the Corporations regarding payment of retirement dues of employees, who have been retired from the services of UPSRTC after creation of State of Uttarakhand till the date of enforcement of agreement between the two Corporations.

Shri Kishore Kumar holding brief of Shri Ramji Srivastava has submitted that UPSRTC has already deposited its share towards payment of retirement dues of the petitioner through Treasury Challans dated 08.08.2003 and 03.04.2006 and the rest of the dues are to be paid by Uttarakhand Transport Corporation.

No counter affidavit has been filed by UPSRTC.

The Managing Director, UPSRTC is directed to make all payment to the petitioner, which is to be paid by the UPSRTC in accordance with the agreement arrived between the two Corporations within a period of four weeks from today and the Managing Director, Uttarakhand Transport Corporation is also directed to make payment of all the dues to the petitioner, which are to be paid by the Uttarakhand Transport Corporation within a period of six weeks from today. In case of failure of making payment within the aforesaid prescribed period, the respondents shall pay interest to the petitioner on the amount due towards retirement dues at the rate of 12% per annum.

With this direction, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

April 09, 2007
SKSharma